

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION**

NEW LIFE ADULT DAY CARE,

Plaintiff,

VS.

**PHILADELPHIA INDEMNITY
INSURANCE COMPANY,**

Defendant.

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CIVIL ACTION NO. 7:17-cv-361
(HON. RICHARD H. HINOJOSA)

**PLAINTIFF'S UNOPPOSED STIPULATION OF
DISMISSAL WITHOUT PREJUDICE**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff New Life Adult Day Care Center ("Plaintiff") and stipulates to the dismissal without prejudice of all claims Plaintiff asserted or could have asserted against Defendant Philadelphia Indemnity Insurance Company in this action,. Each party has agreed to bear its own attorneys' fees and costs incurred to date.

Dated: October 31, 2017

Respectfully submitted,

/s/ John A. Millin, IV

John A. Millin, IV

Texas Bar No. 24005166

Federal ID No. 24026

MILLIN & MILLIN PLLC

4900-B N. 10th Street, Suite C4

McAllen, Texas 78504

Telephone: 956-631-5600

Facsimile: 956-631-5605

Email: john@millinmillin.com

ATTORNEY IN CHARGE FOR PLAINTIFF

NEW LIFE ADULT DAY CARE

CERTIFICATE OF CONFERENCE

I hereby certify that on October 27, 2017, I conferred with William Pilat, the attorney in charge for Defendant Philadelphia Indemnity Insurance Company regarding the filing of the foregoing *Stipulation of Dismissal without Prejudice*. Mr. Pilat informed me he was **unopposed** to the filing of the stipulation. Further, on October 31, 2017, I expressly authorized Mr. Pilat to file the stipulation.

/s/ John A. Millin, IV

John A. Millin, IV

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2017, a true and correct copy of the foregoing *Stipulation of Dismissal without Prejudice* was forwarded to all other counsel of record by electronic filing through the electronic case filing system for the United States District Court for the Southern District of Texas.

/s/ William R. Pilat

William R. Pilat